

IN THE UNITED STATES COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PYROTECHNICS MANAGEMENT, INC,	*	CIVIL ACTION-LAW
	*	
Plaintiff,	*	Case No.: 19-cv-00893
	*	
v.	*	Hon. Robert J. Colville
	*	
XFX PYROTECHNICS LLC,	*	
	*	
FIRETEK.	*	STIPULATED PROTECTIVE ORDER
	*	
Defendants.	*	

STIPULATED PROTECTIVE ORDER

Plaintiff Pyrotechnics Management, Inc. (“Plaintiff”), and Defendants XFX Pyrotechnics LLC and fireTEK (“Defendants”), through their respective undersigned counsel, and pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, hereby stipulate and agree to the following protective order, which shall remain in force until further order of court if requested and for good cause shown:

1. Pursuant to the Court’s Order dated 7/16/21 Firetek shall immediately turn over all applicable sales documents and communications pertinent to plaintiff’s discovery requests upon the signing of this Order. The, “Discovery.” The Discovery shall only be viewed by counsel until it is determined that the FTQ-16x64 Module is a compatible product that incorporates plaintiff’s protocol as defined in their discovery requests.

2. Plaintiff already has a FTQ-16x64 Module in its possession and will keep it sealed until the time of testing which will take place at a time to be agreed upon by the parties At that time Firetek shall provide a representative with the F1 Option for testing along with the FTQ-16x64 Module which is already in Plaintiff’s possession. Following the completion of said testing, Plaintiff’s representative shall take possession of the FTQ-16x64 Module and F1 Option. All information derived from testing the F1 Option and FTQ-16x64 Module (the “Testing Information”) shall remain confidential.

3. Defendants XFX and Plaintiff, their respective principals, their employees, their officers, their directors, their managers, their agents, and/or any other third-person acting on behalf of the Parties, will not disseminate, publish, or share the Discovery or Testing Information with any third-person (other than counsel) and will use the Discovery and Testing Information solely for purposes of this litigation.

Respectfully submitted,

/s/ Kevin C. Harkins

/s/ Fred Tolhurst

/s/ Lucy E. Hill

Kevin C. Harkins, Esq.

Fred Tolhurst, Esq.

Lucy E. Hill, Esq.

Dentons Cohen & Grigsby P.C.

625 Liberty Ave.

Pittsburgh, PA 15222-3152

kevin.harkins@dentons.com

fred.tolhurst@dentons.com

lucy.hill@dentons.com

(Attorneys for Plaintiff)

/s/ Louis Kroeck

Louis Kroeck, Esq.

1200 Sarah Street

Pittsburgh, PA 15203

lkroeck@gmail.com

(Attorney for Defendant, fireTEK)

IT IS SO ORDERED, this 21st day of July, 2021.



Judge Robert Colville